

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

**JAMES & ASHLEY MATHIS
6718 OLD NASHVILLE HWY
MURFREESBORO, TN 37129**

**CASE NO. 17-01891
CHAPTER 13
JUDGE HARRISON**

Debtors

**SSN: xxx-xx-2966
SSN: xxx-xx-8406**

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: *September 15, 2017*. IF A
RESPONSE IS TIMELY FILED, THE HEARING WILL BE: *October 4, 2017, 8:30A.M.,
Court Room 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203***

NOTICE OF MOTION FOR SUSPENSION OF PAYMENTS

The Debtors have asked the court for the following relief: **Debtors wish to suspend their Chapter 13 plan payments.**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before *September 15, 2017*, you or your attorney must:

1. File with the court your written response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: [<https://ecf.tnmb.uscourts.gov>](https://ecf.tnmb.uscourts.gov)

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.)

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's web site at <www.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: August 25, 2017.

/s/ Mark Podis

Mark R. Podis, #012216
Attorney for Debtor
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(615) 399-9794 Facsimile

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SSN: xxx-xx-2966
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MOTION FOR SUSPENSION OF PAYMENTS

Come now the Debtors, by and through the undersigned counsel, and respectfully moves this Court for an order suspending their plan payments to the Chapter 13 Trustee for a period of three months, and in support thereof would show the following:

1. Debtors' Chapter 13 plan was confirmed by this Court on May 25, 2017.
2. Debtors are seeking a 3-month suspension of their plan payments because Debtors' vehicle needs significant repairs.
3. Debtors' plan payment will increase to \$189.25 weekly, plus tax refunds after the proposed suspension to ensure a 60-month plan conclusion.
4. Debtors completed the Trustee's Financial Management Course on August 3, 2017.
5. The Debtors will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of their bankruptcy plan.
6. Debtors are also obligated to make all future payments in accordance with the confirmed Chapter 13 plan and should the Debtors fail to make any payment as required, this case will be dismissed upon filing notice by the Trustee, without further hearing.

STATEMENT OF IMPACT:

The unsecured creditors would continue to receive a minimum dividend of 20% as confirmed. Debtors' payment will increase to \$189.25 weekly after the proposed suspension to ensure a 60-month plan conclusion. The Debtors will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of her bankruptcy plan.

WHEREFORE, Debtors prays that

1. Debtors' plan payments to the Chapter 13 Trustee be suspended for 3 months.
2. Employer upon receipt of suspension order shall stop payroll deduction or any money remitted to the trustee by the employer shall be refunded by the trustee to the Debtors.
3. The unsecured creditors will continue to receive a minimum dividend of 20% as confirmed.
4. Debtors' plan payment will increase to \$189.25 monthly plus tax refunds after the proposed suspension to ensure a 60-month plan conclusion.
5. The Debtors will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of their bankruptcy plan.
6. Debtors are obligated to make all future payments in accordance with the confirmed Chapter 13 plan and should the Debtors fail to make any payment as required, this case will be dismissed upon filing notice by the Trustee, without further hearing.

Respectfully Submitted,

/s/ Mark Podis

Mark R. Podis, #012216
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been delivered to the U.S. Trustee, 701 Broadway, 318 Customs House, Nashville, TN 37203, and to the Chapter 13 Trustee, P.O. Box 340019, Nashville, TN 37203-0019, to the debtors, James & Ashley Mathis, 6718 Old Nashville Hwy, Murfreesboro, TN 37129, on this 25th day of August, 2017. Copies have been sent via email CM/ECF <http://ecf.tnmb.uscourts.gov>.

/s/ Mark Podis
MARK R. PODIS

A TOTAL OF 29 COPIES HAVE BEEN MAILED FIRST CLASS TO CREDITORS ON ATTACHED MATRIX